

# **CASE DISPOSITION OF PETITIONS TO WISCONSIN SUPREME COURT**

**DECIDED March 1, 2004 to April 30, 2004**

## **PETITIONS FOR REVIEW GRANTED**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
01-0724	Wischer v. Mitsubishi Heavy Ind. America	04/22/04
01-1031	Wischer v. Mitsubishi Heavy Ind. America	04/22/04
01-2486	Wischer v. Mitsubishi Heavy Ind. America	04/22/04
02-1056	State v. Schulpius	04/20/04
02-2837	Meriter Hospital v. Dane County	03/23/04
02-3041	In re marriage of: Kenyon v. Kenyon	04/20/04
02-3163	Wisconsin Bell v. PSC of Wis. Abrahamson, C.J., did not participate.	04/20/04
02-3423	State v. Jerrell C.J.	03/23/04
03-0610	Petta v. ABC Insurance	03/23/04
03-0750	Badger State Bank v. Taylor	04/20/04
03-0979-FT	Howell v. Denomie	04/29/04
03-1114	City of Pewaukee v. Carter	03/23/04
03-1234-CR	State v. Sykes	04/20/04
03-1276-CR	State v. Tucker	04/05/04
03-1463-CR	State v. Trujillo	04/05/04
03-2440	Dane County Dep't of Human Services v. Ponn P.	04/20/04

03-2441	Dane County Dep't of Human Services v. Ponn P.	04/20/04
03-2442	Dane County Dep't of Human Services v. Ponn P.	04/20/04
03-2443	Dane County Dep't of Human Services v. Ponn P.	04/20/04
03-2444	Dane County Dep't of Human Services v. Ponn P.	04/20/04
03-2445	Dane County Dep't of Human Services v. Ponn P.	04/20/04
03-2446	Dane County Dep't of Human Services v. Ponn P.	04/20/04

### **PETITIONS FOR REVIEW DENIED**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
01-3142	State ex rel. Locklear v. Schwarz	04/20/04
02-0649-CR	State v. Jones	04/20/04
02-0779	State v. Prust Abrahamson, C.J., dissents.	04/20/04
02-1167-CR	State v. Vergara	03/23/04
02-1728	Mohr v. St. Paul Fire & Marine Ins. Co.	03/23/04
02-1745	McMahon v. Ryan	03/23/04
02-1791-CR	State v. Marioneaux	04/20/04
02-1828-W	State ex rel. Ford v. Holm	04/20/04
02-2011	State v. Davis	04/20/04
02-2079-CRNM	State v. Savage	03/23/04
02-2321	Clark v. McEnany Abrahamson, C.J., dissents.	04/20/04
02-2478-CRNM	State v. Foote	03/23/04
02-2578	Van Dyke v. DCI	04/20/04

02-2583-W	State ex rel. Pozo v. Hon. Robert P. VanDeHey	04/20/04
02-2627-CR	State v. Logan	03/23/04
02-2691	Johnsrud v. Prairie du Chien Mem'l. Hosp. Prosser, J., did not participate.	03/23/04
02-2695-CRNM	State v. Brown	03/23/04
02-2730-CR	State v. Harris	03/23/04
02-2731-CR	State v. Harris	03/23/04
02-2732-CR	State v. Harris	03/23/04
02-2880	Milwaukee County v. Juneau County	04/20/04
02-2887-CR	State v. North	03/23/04
02-2914-CR	State v. Sims	03/23/04
02-2915-CR	State v. Sims	03/23/04
02-2998	In re marriage of: Pauloski v. Pauloski	03/23/04
02-3047-CR	State v. Buelow	04/20/04
02-3061-CR	State v. Kaliszewski Abrahamson, C.J. and Bradley, J., dissent.	04/20/04
02-3099	State v. Madison Abrahamson, C.J., dissents.	04/20/04
02-3105	State ex rel. Jacobs v. McCaughtry	03/23/04
02-3117-CR	State v. Spencer	04/20/04
02-3168-CR	State v. Hinchey	03/23/04
02-3275-CR	State v. Mendez	03/23/04
02-3372-CR	State v. Vang	03/23/04
02-3383-CR	State v. Douglas	04/20/04
03-0003-W	State ex rel. Nelson v. Smith	04/20/04

03-0008	State ex rel. West v. Bartow	03/23/04
03-0036-CR	State v. Siler	03/23/04
03-0041-CR	State v. Tolefree	03/23/04
03-0047	Kidd v. McMaster Bradley, J., dissents.	03/23/04
03-0056	Kuester v. Wis. Retirement Bd.	04/20/04
03-0109-CR	State v. Leiteritz	03/23/04
03-0110	State v. Walker	04/20/04
03-0126-CR	State v. Swift	03/23/04
03-0129	Park and Lee v. Boulder Venture 9, L.L.C and Capitol Court Corp.	03/23/04
03-0131-CR	State v. Webb	03/23/04
03-0137	State v. Rones	03/23/04
03-0138	State v. Rones	03/23/04
03-0160-CR	State v. Banks	03/23/04
03-0208	Wis. Glacier Springs Bottling v. Klawitter	04/20/04
03-0228-CR	State v. Lakes Roggensack, J., did not participate.	03/23/04
03-0246-CR	State v. Northern	03/23/04
03-0249	State v. Netzer	04/20/04
03-0256	Jon Lancaster v. Floor Care Assocs.	04/20/04
03-0394	Diggs v. Grant County Circuit Court	03/23/04
03-0411	Marshfield Clinic v. City of Eau Claire Bradley, J., did not participate. Roggensack, J., dissents.	04/20/04
03-0430-CR	State v. Parnell	04/20/04

03-0437	State v. Johnson	04/20/04
03-0472-CR	State v. Burks	03/23/04
03-0474-CR	State v. Grosskopf	04/20/04
03-0510-CR	State v. Collier	03/23/04
03-0522	Kabes v. Sch. Dist. of River Falls	04/20/04
03-0563-CRNM	State v. Christensen	04/20/04
03-0564-CRNM	State v. Christensen	04/20/04
03-0568	State v. Lor	04/20/04
03-0592	State v. Graham	04/20/04
03-0603-CR	State v. Williams	04/20/04
03-0604-CR	State v. Williams	04/20/04
03-0621-CR	State v. Hall	04/20/04
03-0651-CRNM	State v. Rowell (petition for writ of habeas corpus granted-petition for review filed 10/22/03 considered timely)	04/20/04
03-0767-CR	State v. Buroker	03/23/04
03-0777	Morkin v. Wis. Dep't of Revenue	03/23/04
03-0793	State ex rel. Werns v. State	03/23/04
03-0809-CR	State v. Gadicke	04/20/04
03-0812	State v. Decorah	03/23/04
03-0861-CR	State v. Bogdala	03/23/04
03-0893-CR	State v. Blankenship	04/20/04
03-0896	Landshire Fast Foods v. Employers Mut. Cas. Co.	04/20/04
03-0914-CR	State v. McGhee	03/23/04

03-0923	State v. Schessler	04/20/04
03-0966-CRNM	State v. Sharkey	04/20/04
03-0996	Satellite Communications v. Motorola	03/23/04
03-1008-CR	State v. Jenson	04/20/04
03-1009-CR	State v. Maus Abrahamson, C.J. and Bradley, J., dissent Crooks, J., did not participate.	03/23/04
03-1060-CR	State v. Schechter	03/23/04
03-1127	Jossart Bros. v. Village of Oostburg	04/20/04
03-1130	State v. Rice	04/20/04
03-1192-CR	State v. Minkin	03/23/04
03-1199	Gulmire v. St. Paul Fire and Marine Ins.	03/23/04
03-1202-CR	State v. Stanley	03/23/04
03-1211-CR	State v. Weindorfer	04/20/04
03-1269-CR	State v. Lehman	04/20/04
03-1303-CR	State v. Jost	03/23/04
03-1318-CR	State v. Hooker	04/20/04
03-1340	Pratt v. Green Bay Corr. Inst.	04/20/04
03-1364-CR	State v. Small Sykes, J., did not participate.	03/23/04
03-1373-CR	State v. Collins	03/23/04
03-1397	Lehnertz v. CUNA	04/20/04
03-1453	Crandall v. Society Ins.	04/20/04
03-1461-FT	Town of Cedarburg v. Shewczyk Prosser and Roggensack, J.J., dissent.	03/23/04

03-1498-CRNM	State v. Pawlicki	03/23/04
03-1523	City of Eagle River v. DeThorne	03/23/04
03-1536	F.M. Management v. Wis. Dep't of Revenue Wilcox and Roggensack, J.J., dissent.	03/23/04
03-1547	In re marriage of: Arnold v. Arnold Abrahamson, C.J., dissents.	04/20/04
03-1720	Neal v. Sternweis	03/23/04
03-1799	Michael F.W. v. Betty A.W.	04/20/04
03-1895-CR	State v. Harvery	03/23/04
03-1937	State v. Eugene G.	03/23/04
03-1969-CR	State v. Stanley	03/23/04
03-2107-CRNM	State v. Pierquet	03/23/04
03-2169	State v. Pamela P.	03/23/04
03-2188	City of Chilton v. Dessart	04/20/04
03-2359-W	State ex rel. Spears v. Hon. John J. Perlich	04/20/04
03-2642-CRNM	State v. Walker	04/20/04
03-2702	State v. Bridget P.	04/20/04
03-2703	State v. Bridget P.	04/20/04
03-2704	State v. Bridget P.	04/20/04
03-2705	State v. Bridget P.	04/20/04
03-2955-W	State ex rel. Pedersen v. Kingston	03/23/04
03-3218-W	State ex rel. Barnes v. Sauk County Sheriff Randy Stammen	04/20/04
03-3347	State v. Martha P.	04/20/04
03-3361	Jacobs v. Falstad	03/23/04

04-0055-W	State ex rel. Schultz v. Milwaukee County Crooks, Sykes, and Roggensack, J.J., did not participate.	04/20/04
XX-018562-CR	State v. Seaberry	04/20/04

**PETITIONS FOR REVIEW DISMISSED**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
02-1046-CRNM	State v. Gibson	03/19/04
03-0824	Williams Corner Investors, LLC v. Areawide Cellular, LLC	03/03/04
03-0993	State v. Bathe	04/27/04
03-1394-CRNM	State v. Smith	04/07/04
03-1703	State ex rel. Von Flowers v. Bartow Sykes, J., did not participate.	04/20/04
03-1709-CRNM	State v. Parchem	04/19/04
03-1754	Lofthus v. Lofthus	03/10/04
03-1895-CR	State v. Harvey	04/07/04
03-2943-NM	Eau Claire County v. Barry H.	04/20/04
03-2944-NM	Eau Claire County v. Barry H.	04/20/04
03-2945-NM	Eau Claire County v. Barry H.	04/20/04
03-2946-NM	Eau Claire County v. Barry H.	04/20/04
03-3432	State v. Taylor	03/15/04
03-3463	State v. Poventud	03/01/04

**PETITIONS BY COURT OF APPEALS TO CERTIFY**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Disposition</u></b>	<b><u>Date</u></b>
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02-3135-CR	State v. Uhde	Granted	04/20/04
02-3223	Springer v. Krister	Granted	04/20/04
02-3394	Pitts v. Revocable Trust of Dorothy Knueppel Wilcox, J., did not participate.	Granted	04/20/04
03-1086	Olstad v. Microsoft Corp.	Granted	03/23/04
03-1699	Lawrence v. Lawrence Abrahamson, C.J., concurs, but would have the court state its reasons for refusing certification.	Refused	03/23/04
03-1850	Solie v. Employee Trust Funds Bd.	Granted	04/20/04
03-2487-FT	Atkins v. Swimwest Family Fitness Center a/k/a Swimwest School of Instruction	Granted	04/20/04

#### **PETITIONS TO BYPASS COURT OF APPEALS**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Disposition</u></b>	<b><u>Date</u></b>
03-1801	Carney-Hayes v. Northwest Wis. Home Care	Granted	04/20/04
03-3209	Jarczewski v. Krueger Int'l.	Denied	04/20/04
04-0448-CR	State v. Davis	Dismissed	04/07/04
04-1075-W	State ex rel. Walker v. Bartow	Dismissed	04/23/04

#### **MOTIONS FOR RECONSIDERATION**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Disposition</u></b>	<b><u>Date</u></b>
01-1590	Mitchell Bank v. Schanke	Denied	04/22/04
01-1591	Mitchell Bank v. Schanke	Denied	04/22/04

01-1871

Am. Family Mut. Ins. v. Am. Girl Denied  
Abrahamson, C.J. and Wilcox, J., did not participate.

03/23/04